

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

RICHARD SIPE,

Plaintiff,

v.

No. 9:08-CV-1365
(FJS/ATB)

DAVID HARDER, et al.,

Defendants.

APPEARANCES:

OF COUNSEL:

RICHARD SIPE
Plaintiff *pro se*, 09-B-0431,
Great Meadow Correctional Facility
Box 51
Comstock, NY 12821

FOR DEFENDANTS:

BROOME COUNTY ATTORNEY'S OFFICE
Edwin L. Crawford County Office Building
P.O. Box 1766
Binghamton, NY 13902-1766

AARON J. MARCUS, ESQ.
Assistant Broome County Attorney

FREDERICK J. SCULLIN, JR., S.J.:

ORDER

Currently before the Court is Magistrate Judge Andrew T. Baxter's Report-Recommendation filed August 4, 2010, in which he recommends that Defendants' motion for summary judgment be granted and the complaint be dismissed in its entirety. The Court having reviewed the Report-Recommendation and the entire file in this matter and no objections to said Report-Recommendation having been filed, The Court hereby

ORDERS that Magistrate Judge Baxter's August 4, 2010 Report-Recommendation is **ACCEPTED IN ITS ENTIRETY** for the reasons stated therein; and the Court further

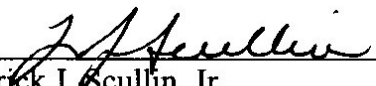
ORDERS that Defendants' motion for summary judgment is **GRANTED** and the complaint is **DISMISSED IN ITS ENTIRETY**;¹ and the Court further

ORDERS that the Clerk of the Court shall enter judgment in favor of Defendants and close this case; and the Court further

ORDERS that the Clerk of the Court shall serve a copy of this Order on the parties in accordance with the Local Rules.

IT IS SO ORDERED.

DATED: August 26, 2010
Syracuse, New York



Frederick J. Scullin, Jr.
Senior United States District Court Judge

¹ The Court notes that the Clerk of the Court mailed Magistrate Judge Baxter's Report-Recommendation to Plaintiff's last known address, but that it was returned to the Clerk's Office marked, "RTS" - "Released 8/3/10." Under Local Rule 41.2(b), failure to notify the Court of a change of address as Local Rule 10.1(b) requires may result in dismissal of the action.